IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.269 OF 2005

Hindustan Lever Employees Union. ...Petitioner.

Vs.

Hindustan Lever Limited & Ors. ...Respondents.

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Mr.K.K.Singhvi, Senior Adovate with Mr.Kiran Bapat for the Petitioner.

Mr.P.K.Rele, Serior Advocate with Mr.R.N.Shah for Respondent Nos.1 and 3.

Mr.C.U.Singh for Respondent No.2.

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CORAM : DR.D.Y.CHANDRACHUD, J.

February 28, 2005.

P.C. :

After the Petition has been heard, Learned Counsel appearing on behalf of the Petitioner and the Respondents are agreed that the following order may be passed by consent and without any further reasons being recorded:

Without prejudice to the rights and contentions of both the parties, the following arrangement is worked out:

(a) As and when the transfer of the Bombay Factory Undertaking at Sewri takes place to M/s.Bon Limited, the concerned workmen would be given the option of being transferred along with the Undertaking subject to the conditions set out in the proviso to Section 25 FF of the Industrial Disputes Act, 1947;

(b) The Management reserves its rights to take steps in accordance with the Industrial Disputes Act, 1947, in respect of such of the workmen who do not get transferred with the Undertaking;

(c) The Assistant Commissioner of Labour shall take steps expeditiously to conclude proceedings pending before him with respect to the Charter of demands dated 7th December 2004 in accordance with law; and

(d) All questions of law and facts are expressly kept open.

The Petition shall stand disposed of in the aforesaid terms with no order as to costs.

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